

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

MARK PERKINS,

Plaintiff,

V.

HOLLYWOOD ENTERTAINMENT
CORPORATION, an Oregon corporation,

Defendant.

Civil No. 05-1452-ST

ORDER

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JONES, Judge:

Magistrate Judge Janice M. Stewart filed Findings and Recommendation (#19) on January 4, 2006, in the above-entitled case. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). No objections have been timely filed. This relieves me of my obligation to give the factual findings de novo review. Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir. 1983). Having reviewed the legal principles de novo, I find no error.

Accordingly, I ADOPT Magistrate Judge Stewart's Findings and Recommendation (#19) dated January 4, 2006, in its entirety. Movie Gallery's and Malugen's Motion to Dismiss Plaintiff's Second Claim for Relief (#4) is granted without prejudice, and plaintiff is allowed leave to amend his Second Claim for Relief for tortious interference with economic relations against Malugen and/or the Movie Gallery.

IT IS SO ORDERED.

DATED this 21st day of February, 2006.

/s/ Robert E. Jones
ROBERT E. JONES
United States District Judge